

NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION
REQUEST FOR PROPOSALS

ISSUED AUGUST 25, 2010

FOR CONSULTING SERVICES
FOR AN INDEPENDENT STUDY OF ENERGY POLICY ISSUES

To Prospective Bidder:

The New Hampshire Public Utilities Commission (Commission) is seeking proposals from qualified firms or individuals to provide consulting services to the Commission pursuant to [NH Chapter 335 of the Laws of 2010 \(“SB323”\)](#), which requires the Commission to contract for an independent study of certain energy policy issues.

Pertinent dates and information:

1. Any and all questions about this RFP should either be submitted in writing prior to September 14, 2010, or raised at the bidders’ conference which will be held on September 14, 2010 at 11:00 AM, with call-in information to be made available to all interested parties. Time may not permit responses to inquiries received after close of the bidders’ conference. Written responses will be posted on the Commission website at: www.puc.nh.gov/Home/requestforproposal.htm.
2. Completed proposals must be received in hard copy and electronically by the Commission prior to 4:30 p.m. on September 24, 2010.
3. Proposals and any inquiries should be submitted to:

ChristiAne G. Mason, Director of Administration
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429
ChristiAne.Mason@puc.nh.gov

The subject line for such inquiries must state: “RFP for Independent Study of Energy Policy Issues.”

4. A Study Coordination Team, consisting of Commission personnel and individuals chosen by the [Energy Efficiency and Sustainable Energy \(EESE\) Board](#) Chair in consultation with the Commission, has been established to evaluate responses to this bid proposal and to assist in the coordination of the work to be performed – pursuant to SB 323, which requires that “the public utilities commission shall work in cooperation and close consultation with the Energy Efficiency and Sustainable Energy Board in choosing an independent consultant and managing the development of the study.”

5. Follow-up conferences/interviews will be scheduled at the discretion of the Study Coordination Team.
6. Respondents to this RFP should not contact individual members of the Study Coordination Team, the Commission, the Commission staff, or the EESE Board with inquiries or comments about this RFP or their proposals prior to completion of the selection process, except as provided above or unless contacted by such an individual for the purpose of scheduling a follow-up conference or interview.

I. BACKGROUND

The New Hampshire Public Utilities Commission (Commission) is an executive branch agency with quasi-judicial powers, and is statutorily required to “be the arbiter between the interests of the customer and the interests of the regulated utilities.” The Energy Efficiency and Sustainable Energy (EESE) Board was created by the NH Legislature in 2008, “to promote and coordinate energy efficiency, demand response, and sustainable energy programs in the state.” The EESE Board is administratively attached to the Commission.

Over the past 20 months, the EESE Board has devoted considerable time to discussion of existing energy programs within New Hampshire and how the goals and resources for these programs relate to aggressive targets for New Hampshire, including those adopted in the state’s March 2009 Climate Change Action Plan. The EESE Board recognizes that these targets require large-scale public and private sector investments in energy efficiency and clean energy technologies including renewable energy. Presentations to the EESE Board by outside entities with a regional perspective revealed that some other states are undertaking more comprehensive and ambitious efforts than NH has implemented to date. For instance, some states have set a goal of reducing total electricity consumption by 2% annually, or put in place policies requiring electric and natural gas distribution utilities to invest in all cost-effective energy efficiency measures. The EESE Board recognized the need for support to assess and develop new policies and approaches to meet the state’s energy goals.

These efforts led to passage by the NH Legislature earlier this year of SB 323, which charges the Commission to “contract for an independent study, through means of a nonadjudicative investigation utilizing a broad collaborative process, regarding legislative, regulatory, and market-based policy options to address the following issues:

- (a) A comprehensive review and analysis of energy efficiency, conservation, demand response, and sustainable energy programs and incentives in the state, and recommendations for possible improvements to maximize their effectiveness and increase coordination of those programs and incentives.
- (b) The appropriate role of regulated energy utilities, providers of energy and energy efficiency, and others in helping the state and consumers achieve the state’s energy efficiency potential for all fuels.

(c) The effectiveness and sustainability of all funds available to stimulate investment in energy efficiency and clean energy to advance the state's energy goals.

(d) Policy changes that may be necessary in order to achieve the state's energy efficiency and sustainable energy goals and to create the most cost-effective delivery systems to ensure optimum use of state funds, initiatives, and programs.”

The Commission is seeking a qualified consultant or team of consultants with the relevant expertise to conduct the review and analysis required, and to provide the referenced assessment and recommendations, in the form of both a written report and oral presentation of the report and findings. Work will commence on or about December 1, 2010 with a detailed outline of the study due February 1, 2011, a draft report to be submitted on or before May 1, 2011 and a final report due no later than August 1, 2011. The cost of the study shall not exceed \$300,000.

Source documents for further relevant background include, but are not limited to, those that have been compiled at www.puc.nh.gov/Home/requestforproposal.htm.

II. SCOPE OF WORK

The consultant(s) chosen will be expected to carry out the following tasks:

1. Conduct an independent study of the above-described New Hampshire energy efficiency, conservation, demand response, and sustainable energy programs, initiatives, roles, existing and potential new funding sources, delivery systems, and policy options.
2. Work in consultation with the Study Coordination Team in developing and refining the study and report.
3. Consult with and/or otherwise obtain input from key stakeholders, including conducting a limited number of selected interviews, as appropriate to inform the study. Key stakeholder groups may include: government leaders; regulated utilities; energy service companies; energy efficiency and sustainable energy designers, contractors, vendors, business trades people, and lenders; representatives of commercial and residential customer interests; relevant advocates and trade organizations; deliverable fuel dealers, etc.
4. Complete a final report which shall address all aspects of the study, and incorporate relevant issues, best practices and policy recommendations as set forth in the cited SB323, including but not limited to the following:
 - a. existing state energy efficiency, conservation, demand response and sustainable energy programs and incentives, and possible improvements to maximize their effectiveness;
 - b. exploration of the pros and cons of various program administration models, including the role of regulated utilities, energy service companies and others, in capturing all cost-effective efficiency for all fuels;

- c. effectiveness, availability and sustainability of both public funding as well as market-based approaches to support adequate long-term investments in efficiency and clean energy;
 - d. policy changes including various regulatory and rate structures, as well as statutory approaches, to achieve the state's energy, environment, and economic goals, including those identified in the NH Climate Action Plan and the Governor's 25 x 25 Renewable Energy Initiative;
 - e. any other complementary public policies - such as codes, standards, building energy ratings, EM&V protocols, etc. – that ought to be considered in seeking to maximize energy savings for NH customers;
 - f. a description of the costs and benefits of different approaches to achieving the state's goals that informs the consultant's recommendations; and
 - g. a synthesis and summary of significant, relevant stakeholder and public input and feedback considered.
5. Participate approximately every two weeks in a conference call to provide status updates on the progress of the study.
 6. Prepare and deliver a detailed outline of the issues to be addressed by the study on or before February 1, 2011.
 7. Meet with the EESE Board for consultation and discussion of the report in progress, likely once in early 2011, and again before issuance of the final report.
 8. Prepare and deliver a draft report on or before May 1, 2011.
 9. Prepare and deliver a final written report and Executive Summary on or before August 1, 2011.
 10. Allocate two days, one anticipated for fall 2011, and a second in winter 2012, to provide public presentations to legislative leaders and committees, the EESE Board, and other interested stakeholder groups, as determined in consultation with the Study Coordination Team.

III. CONFIDENTIALITY

The contractor agrees to maintain confidential all information to which it has access until such time as it is instructed otherwise by the Commission. All information relating to this bid (including but not limited to fees, contracts, agreements and prices) is subject to the laws of the State of New Hampshire regarding access to public information, including RSA 91-A.

IV. WORK PAPERS

At the conclusion of the work, the contractor will make available to the Commission summaries of significant work papers and source documents as requested.

V. COMPONENTS OF THE PROPOSAL

The following is a list of the information to be provided in the Proposal. Bidders should respond to all areas listed below, in the order listed.

1. Very briefly summarize and highlight the key issues, trends, tensions, and policy options the consultant would expect to address in the study.

2. **Corporate/Company Information.** Provide information concerning its corporate/company history and capabilities; i.e., years in business, corporate officers or company principals, location of offices, areas of concentration and expertise, Professional and business association memberships, listing of representative clients, etc.
3. **Personnel Assigned.** Contractor must provide the Commission with a list of all personnel who will be assigned to this project, including the project manager (if applicable) and detailed resumes and summaries of each individual reflecting his or her relevant experience and the nature of their specific responsibilities. During the course of the work, the Commission must approve in writing of any substitutions or changes in personnel assigned to perform the work.
4. **References.** Provide a list of up to three references from individuals with first-hand knowledge of work performed, preferably within the past two years, which is most similar in scope or content to that being proposed.
5. **Statement of Disclosure.** Identify any existing or potential conflicts of interest, including those that arise as a result of relationships or affiliations with utility companies under the jurisdiction of the Commission, or any member/s of the EESE Board or the organizations they represent. If the consultant's firm or any of its partners, principals, associates, or personnel to be assigned to this study have been indicted or have pending charges against them, or have been convicted of any crime or offense arising directly or indirectly from the conduct of the firm's business, or have been the subject of civil legal proceedings arising from the provision of services by the firm or those individuals, identify and describe such proceedings in detail.
6. **Detailed Budget Proposal.** Provide the Commission with a detailed cost proposal that identifies the hourly rate for personnel, the expected hours of work by month, and any associated expenses.
7. **Work Plan.** Provide a detailed proposed work plan with time allocations and dates for major tasks and deliverables.
8. **Writing Sample.** Provide relevant writing samples that illustrate the ability of the consultant/s to produce summary information that will be readily accessible to a broad, non-technical audience including elected representatives. Electronic links are preferable to hard copies.

VI. CRITERIA FOR SELECTION

The Study Coordination Team will consider the following criteria:

- a. Institutional experience and expertise in energy efficiency, sustainable energy, program design and implementation, and evolving energy technologies.

- b. Knowledge and experience *of those staff specifically assigned to the project*, including their prior work assignments in New Hampshire, elsewhere in New England, as well as in other states or jurisdictions.
- c. The depth, breadth of scope, and level of detail of work that the consultant/s will be able to provide while staying within the stated cost ceiling.
- d. Cost of consulting services and expenses, relative to value provided, including the competitiveness of the proposed hourly rates, any proposed discounts, etc. As noted, the maximum cost for the study is \$300,000. (The Commission reserves the right to negotiate lower fees or a different fee structure than proposed, with any selected consultant).
- e. Demonstrated ability to engage a broad set of stakeholders in policy discussion and formulation in an effective and efficient manner.
- f. Demonstrated ability to offer strategic insights into the tradeoffs and policy decisions that the study will inform.
- g. Overall responsiveness to the requirements of the RFP, including completeness, objectivity, clarity and quality of the proposal, and availability and accessibility of staff assigned to the project.
- h. Conclusion drawn from interviews, if performed, relative to factors a. through g., above.

Approximate weighting of factors:

a. Relevant Institutional Expertise	10%
b. Staff Knowledge and Experience	15%
c. Scope of Work	20%
d. Cost to Value	15%
e. Engage Stakeholders	10%
f. Strategic Insights	15%
g. Overall Responsiveness, Quality, Availability	15%

The Study Coordination Team will rank proposals based on the above stated criteria and factors and make a recommendation to the Commission for selection of a consultant or consultants. The Commission will make the final selection and contracting decision.

VII. GENERAL BID CONDITIONS

Bids must be typed and double sided. Proposals should be no more than 10 pages in length excluding resumes and supporting materials. Original and 3 copies of the bid must be submitted, along with an electronic copy in PDF format. Bids that are incomplete or unsigned will not be considered. The deadline for submitting bids is 4:30 p.m. *September 24, 2010*. Bids must be addressed to ChristiAne G. Mason, Director of Administration,

New Hampshire Public Utilities Commission, 21 S. Fruit Street, Suite 10 Concord, NH 03301-2429 and via email: ChristiAne.Mason@puc.nh.gov.

The Commission reserves the right to reject or accept any or all bids, to reject or accept all or any part of any bid, to determine what constitutes a conforming bid, to waive irregularities that it considers not material to the bid, to award the bid solely as it deems to be in the best interest of the State, to contract for any portion of the bids submitted and to contract with more than one bidder if necessary. All information relating to this bid (including but not limited to fees, contracts, agreements and prices) are subject to the laws of the State of New Hampshire regarding public information.

The Commission at any time, in its sole discretion, may terminate the contract, or postpone or delay all or any part of the contract, upon written notice.

VIII. CERTIFICATES

Bidders will be required to provide the following certificates prior to entering into a contract:

- Secretary of State's Office Certificate of Good Standing ("CGS")
Individuals contracting in their own name do not need a CGS. Business organizations and trade names need a CGS, except for nonresident nonprofit corporations.
- Certificate of Vote/Authority ("CVA")
Individuals contracting in their own name do not need a CVA. Business entities and trade names need a CVA.
- Certificate of Insurance
Certificate of Insurance form attached with insurance coverage required under the contract. Any modifications of insurance coverage required under the contract will be specified in Exhibit C.
- Workers' Compensation
Contractor must demonstrate compliance with or exception from RSA 281-A (and if applicable, RSA 228:4-b and RSA 2 1-1:80, and any other applicable laws or rules).

IX. FORM OF CONTRACT

The terms and conditions set forth in [Form P-37 \(v. 1/09\) General Provisions Agreement](#) are part of the proposal and will apply to any contract awarded the bidder. Any contract resulting from this bid proposal shall not be deemed effective until it is signed by the Commission.